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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/395,490	09/14/1999	ROBERT EVEREST JOHNSON	LUT-2-0023	6096

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EXAMINER

BURD, KEVIN MICHAEL

ART UNIT	PAPER NUMBER
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2631

DATE MAILED: 11/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.
09/395,490

Applicant(s)
JOHNSON ET AL

Examiner
Kevin Burd

Art Unit
2631



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 6, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 6) ☐ Other:

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 1, lines 4-9, applicant discloses a US application to be incorporated by reference. However, no serial number is disclosed. A serial number must be disclosed or this paragraph should be removed.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6, 14 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 6, 14 and 26, additional information is required for variables A, B, C, P, A_m and P_b. It is unclear what range these variables include, if they are integers, etc. Appropriate correction is required.

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 17, 21, 30, 34 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al (US 5,920,808).

Regarding claims 17, 21, 30, 34 and 35, Jones discloses an apparatus and method for adaptively predistorting a baseband signal (figure 2). The predistorter 107 predistorts the received in-phase and quadrature component signals to compensate for the distortion of the power amplifier 115. The predistorted 800 kbps component signals from the predistorter 107 are received by the digital interpolator 209 (column 7, lines 22-29). The signals are upsampled in the digital interpolator to increase the sampling

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(column 7, lines 28-42). The interpolater filters the upsampled base band signal (column 7, lines 42-43). The output of the interpolater is a predistorted upsampled signal which is converted to RF signal for transmission. A receiver retrieves samples of the RF signals and feeds these signals to the trainer 131 (figure 2).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 8-12, 15, 16, 18, 19, 22-24, 27-29, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 5,920,808) in view of Perkins et al (US 5,963,549).

Regarding claim 1, 9, 12, 16, 18, 19, 22, 24, 27-29, 31 and 32, Jones discloses an apparatus and method for adaptively predistorting a baseband signal (figure 2). The predistorter 107 predistorts the received in-phase and quadrature component signals to compensate for the distortion of the power amplifier 115. The predistorted 800 kbps component signals from the predistorter 107 are received by the digital interpolator 209 (column 7, lines 22-29). The signals are upsampled in the digital interpolator to increase the sampling (column 7, lines 28-42). The interpolater filters the upsampled base band

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signal (column 7, lines 42-43). Filtering the signals eliminates high frequency harmonics in the system (column 4, lines 35-47). The output of the interpolater is a predistorted upsampled signal which is converted to RF signal for transmission. A receiver retrieves samples of the RF signals and feeds these signals to the trainer 131 (figure 2). Jones does not disclose clipping the signal in the predistorer. Perkins discloses it is well known to clip signals in a predistortion unit to reduce power requirements prior to transmission. Using a lookup table memory technique, helps achieve this lower power consumption (column 2, lines 30-44). It would have been obvious for one of ordinary skill in the art at the time of the invention to use the predistortion unit of Perkins to clip a baseband signal using a look up memory technique for the reason stated above.

Regarding claims 2 and 10, Jones discloses upconverting the 800 ksps signals to 3.2 Msps signal (column 7, lines 30-45).

Regarding claims 3, 11 and 23, Perkins discloses the I and Q components are summed prior to recovering lookup table information (column 2, lines 30-44).

Regarding claims 8 and 15, the signal is delayed by elements 112, 113 and 115 prior to being output of the system (Jones figure 2).

8. Claims 4, 5, 7, 13, 20, 25 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 5,920,808) in view of Perkins et al (US 5,963,549) as

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applied to claims 1-3, 8-12, 15, 16, 18, 19, 22-24, 27-29, 31 and 32 above, and further in view of Miyashita (US 6,288,610).

Regarding claims 4, 5, 7, 13, 20, 25 and 33, the combination of Jones and Perkins disclose an apparatus and method for adaptively predistorting a baseband signal as stated above. The combination does not disclose using the lookup table technique to predistort the baseband signal where the distortion characteristics are defined by polynomial equations having coefficients. Miyashita discloses the predistortion characteristics are defined by the polynomial equation shown in column 4, lines 60-68. The equation $g(x)$ is the expression of the envelope transfer function. It would have been obvious to incorporate the method of using a polynomial equation from a look up table to predistort a baseband signal as disclosed in Miyashita into the combination to correct distortion impairing linearity which occurs in the amplifier (column 3, lines 31-33).

Contact Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9314, (for formal communications intended for entry or for informal or draft communications, please label "PROPOSED" or "DRAFT")

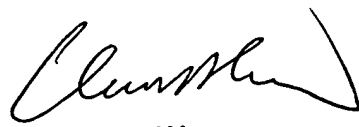
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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Burd, whose telephone number is (703) 308-7034. The Examiner can normally be reached on Monday-Thursday from 9:00 AM - 6:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.


Kevin M. Burd
PATENT EXAMINER
October 29, 2002


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 10/31/02